

Atty. Docket No. 1523-1003

PATENTS

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

Anders PETTERSSON et al.

Conf. No. 9971

Serial No. 09/787,888

GROUP 1615

Filed June 8, 2001

Examiner Micah Paul Young

PHARMACEUTICAL COMPOSITION FOR THE
TREATMENT OF ACUTE DISORDERS

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Hon. Commissioner of Patents & Trademarks

Washington, D.C. 20231


Sir:

DIABACT AB of Uppsala, Sweden, owner of 100 per-
cent interest in the instant application, hereby disclaims,
except as provided below, the terminal part of the statutory
term of any patent granted on the instant application, which
would extend beyond the expiration date of the full statu-
tory term defined in 35 USC 154 to 156 and 173, as shortened
by any Terminal Disclaimer filed prior to the grant of any
patent granted on pending second Application Number
09/787,887, filed on June 8, 2001. The owner hereby agrees
that any patent so granted on the instant application shall
be enforceable only for and during such period that it and
any patent granted on the second application are commonly
owned. This agreement runs with any patent granted on the
instant application and is binding upon the grantee, its
successors or assigns.

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In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 USC 154 to 156 and 173 of any patent granted on the second application, as shortened by any Terminal Disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any Terminal Disclaimer filed prior to its grant.

The undersigned is an attorney of record.


(Signature)

February 26, 2003
(Date)

Robert J. Patch, Reg. No. 17,355
(Printed name and title if applicable)